

State of Arizona  
Senate  
Forty-seventh Legislature  
Second Regular Session  
2006

## **SENATE BILL 1048**

AN ACT

AMENDING SECTION 13-3410, ARIZONA REVISED STATUTES; RELATING TO DRUG OFFENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Section 13-3410, Arizona Revised Statutes, is amended to  
3 read:

4              13-3410. Serious drug offender: sentencing: definitions

5       A. A person who is at least eighteen years of age or who has been  
6 tried as an adult and who stands convicted of a serious drug offense and who  
7 committed the offense as part of a pattern of engaging in conduct prohibited  
8 by this chapter, which constituted a significant source of the person's  
9 income, shall be sentenced to life imprisonment and is not eligible for  
10 suspension of sentence, probation, pardon or release from confinement on any  
11 basis until the person has served not less than twenty-five years or the  
12 sentence is commuted.

13       B. A person who is at least eighteen years of age or who has been  
14 tried as an adult and who stands convicted of a serious drug offense and who  
15 committed the offense as part of the person's association with and  
16 participation in the conduct of an enterprise as defined in section 13-2301,  
17 subsection D, paragraph 2, which is engaged in dealing in substances  
18 controlled by this chapter, and who organized, managed, directed, supervised  
19 or financed the enterprise with the intent to promote or further its criminal  
20 objectives shall be sentenced to life imprisonment and is not eligible for  
21 suspension of sentence, probation, pardon or release from confinement on any  
22 basis until the person has served not less than twenty-five years or the  
23 sentence is commuted.

24       C. A person commits an offense as part of a pattern of engaging in  
25 conduct prohibited by this chapter if the person's conduct involves at least  
26 three criminal acts that have the same or similar purposes, results,  
27 participants, victims or methods of commission, or otherwise are interrelated  
28 by distinguishing characteristics and are not isolated events.

29       D. For the purposes of this section:

30              1. "Serious drug offense" means any violation of, ~~the provisions of~~  
31 ~~INCLUDING ANY ATTEMPT OR CONSPIRACY TO COMMIT A VIOLATION OF,~~ section  
32 13-3404.01, section 13-3405, subsection A, paragraphs 2 through 4, section  
33 13-3407, subsection A, paragraphs 2 through 7 or section 13-3408, subsection  
34 A, paragraphs 2 through 7 involving an amount of marijuana, dangerous drugs  
35 or narcotic drugs having a weight that equals or exceeds the statutory  
36 threshold amount, a felony violation of section 13-3406 or any violation of  
37 section 13-3409.

38              2. "Significant source of income" means a source of income ~~which THAT~~  
39 exceeds twenty-five thousand dollars received during a calendar year without  
40 reference to any exceptions, reductions or setoffs.